IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

WP(C).No. 7123 of 2007(W)

PETITIONER:

M.MOHAMMEDKUTTY, SON OF KUNHEETH,
AGED 54 YEARS, MANNARAKKAL THAZHATH PALLIKKANDY
VEEDU, P.O. MAKKADA, MAKKADA AMSOM AND DESOM,
KAKKODI VILLAGE, KOZHIKODE TALUK, KOZHIKODE DIST.

BY ADV. SRI.M.P.MOHAMMED ASLAM

RESPONDENTS:
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1. SUB INSPECTOR OF POLICE,
ELATHUR, KOZHIKODE.

2. SUPERINTENDENT OF POLICE, KOZHIKODE.

3. THE KAKKODI GRAMA PANCHAYAT,
REPRESENTED BY SECRETARY, OFFICE OF THE
KAKKODI GRAMA PANCHAYATH.

R1 & 2 BY GP SHRI P.A. SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.7123/2007 W - APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 - TRUE COPY OF BUILDING PERMIT ISSUED TO THE PETITIONER BY THE 3RD RESPONDENT AND DATED 25.11.2004.

EXT.P2 - TRUE COPY OF SPECIFICATION AND REPORT OF THE PROPOSED BUILDING DATED NIL.

EXT.P3 - TRUE COPY OF BUILDING PLAN APPROVED BY THE 3RD RESPONDENT ON 25.11.2004

EXT.P4 - TRUE COPY OF THE SITE PLAN APPROVED BY THE 3RD RESPONDENT ON 25.11.2004.

EXT.P5 - TRUE COPY OF THE PETITION FOR POLICE PROTECTIOIN FILED BEFORE 1ST RESPONDENT ON 16.10.2006

RESPONDENTS' EXHIBITS: NIL.

(TRUE COPY)

vaa PS TO JUDGE

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C)No.7123 OF 2007

Dated 15th March, 2007

JUDGMENT

Koshy,J.

This is a petition for police protection. Government Pleader submitted that there are some objections that a madrassa is being constructed in the guise of a residential house. Counsel for the petitioner submitted that he is not constructing a madrassa or religious institution. On condition that, at any point of time, petitioner shall not convert the building to a madrassa or religious institution at all and it will be used only for residential purpose, protection shall be granted unless there is any prohibitory orders of statutory authority or court.

The writ petition is disposed of accordingly.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

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